

REMARKS

Applicant hereby files this amendment with respect to the statement of reasons for allowance.

Pages 2-4 of the Notice of Allowability contain a statement of reasons for allowance. Applicant objects to and disagrees with the statement to the extent that such statement recites language not included in Applicant's claims. The patent statutes require claims to be presented and interpreted in accordance with what the Applicant regards as their invention. Accordingly, the claims must be read as Applicants regard them (as they are worded). The statements (e.g., see statements with respect to claims 11 and 36 in two examples) as currently worded might be interpreted later as reading limitations into Applicant's claims which simply are not there. For example, "indication circuitry configured to write data to a data port" is not recited anywhere in claim 11. Further, claim 36 is directed towards a communications method and fails to recite "selectively outputting the data to indication circuitry of the circuitry" as alleged in the statement.

Applicant regards aspects of his invention as defined by the claims. MPEP 1302.14 (8th ed.) states, in part, that where specific reasons are recorded by the examiner, *care must be taken to ensure that such reasons are accurate, precise, and do not place unwarranted interpretations, whether broad or narrow, upon the claims.* The examiner should keep in mind the possible misinterpretations of his or her statement that may be made and its possible estoppel effects.

In accordance with the above, the Examiner must interpret the claims in accordance with their literal wording, and to the extent the Examiner has not already done so, such is mandated now. If the Examiner relies upon allowance based upon language not appearing

in the claims, the Examiner must reject the claims and suggest insertion of such language. Then, Applicant can respond as he deems appropriate.

Allowance of the claims as literally worded is urged. If no additional claim rejections are hereafter presented by the Office, the prosecution history of this application is to be interpreted as if the statement never existed or was withdrawn. If the Examiner disagrees with this just stated position, claim rejections are mandated before issuance of the patent.

The Examiner is requested to phone the undersigned if the Examiner believes such would facilitate prosecution of the present application. The undersigned is available for telephone consultation at any time during normal business hours (Pacific Time Zone).

Respectfully submitted,

Dated: 7/8/04

By: 
James D. Shaurette
Reg. No. 39,833